

REMARKS/ARGUMENTS

Claims 1-40 remain in the application for further prosecution. Claims 1, 29 and 32 have been amended.

Claim Rejections - 35 U.S.C. § 103

Claims 1-28 and 37-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,544,120 (“Ainsworth ‘120”) in view of U.S. Publication No. 2002/0047238 (Ainsworth ‘038”).

Claims 29-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Ainsworth ‘120 in view of U.S. Patent No. 6,749,504 (“Hughs-Baird”).

Claims 1, 15, and 37-40

Claims 1, 15 and 37-40 require adding a second plurality of symbols between at least some of the first plurality of symbols in the first array to form a second array and “the second array including the second plurality of symbols and the first plurality of symbols in the first array without replacing any of the first plurality of symbols.” This may be shown for example in Figs. 4 and 9 of the specification. As shown in Fig. 9, none of the symbols from the first array 12 in Fig. 4 are replaced, the second plurality of symbols (the reel 34) is simply inserted between symbols in the first array without replacing any of the symbols of the first array.

The Office Action concedes that Ainsworth ‘120 does not disclose creating the second array by adding a second plurality of symbols between at least some of the first plurality of symbols. (p. 3). The Office Action has asserted that Ainsworth ‘038 discloses “adding the second plurality of symbols between at least some of the first plurality of symbols in the first array to form the second array” citing paragraphs 18-19 and Figs. 1-2. However, Ainsworth ‘038

does not a second array that is formed by taking symbols for a first array and adding a second plurality of symbols without replacing any of the first plurality of symbols. First, Ainsworth '038 does not teach that the array in Fig. 2 is a result of the array in Fig. 1. Paragraph 19 in Ainsworth '038 does not disclose or suggest that the array in Fig. 2 is the result of adding symbols to the array in Fig. 1. The element numbers 10, 11, 12 and 13, in Figs. 1 and 2 refer to the generic display and rows and columns common to every array in Ainsworth '038 and does not reference the specific and different symbols between Fig. 1 and Fig. 2. The array in Fig. 2 is therefore not a result of the first array in Fig. 1, it is an entirely new array. Second, even accepting that the drawings in Figs. 1 and 2 imply that Fig. 2 is a result of replacing symbols in Fig. 1, Ainsworth '038 does not anticipate the elements of these claims. Ainsworth '038 replaces at least some of the first plurality of symbols to display the second array shown in Fig. 2. For example, the symbol "T" in Fig. 1 has been replaced with the 9 of diamonds in Fig. 2, the symbol 9 of diamonds in Fig. 1 has been replaced with the 2 of hearts symbols, and the "W" symbol in Fig. 1 has been replaced by the 6 of clubs in Fig. 2. The arrays in Figs. 1 and 2 of Ainsworth '038 would be viewed as entirely different arrays by one of ordinary skill in the art since many of symbols are different. Therefore, combining Ainsworth '120 and Ainsworth '038 would not yield the claimed elements. Applicant respectfully submits that claims 1-28 and 37-40 and their dependents are allowable over Ainsworth '120 and Ainsworth '038.

Applicant has also amended claim 1 to require that the symbols that are not replaced remain in either the row or column in the first array when positioned in the second array. As explained above, Ainsworth '038 does not anticipate these elements because the symbols that are replaced in Ainsworth '038 between Figs. 1 and 2 are not in the same position in either the row

or column in the first array (see e.g., the W, I and 9 of diamond symbols which have been moved so that are not in either of the same row and column between Figs. 1 and 2).

Claims 29-36 Are Allowable

The Office Action has cited Ainsworth in combination with Hughs-Baird against claims 29-36. The Office Action concedes that Ainsworth does not teach that modifier symbols are used that can be added to the first array to form a second array or used to modify the array to form a modified array where the modifier symbols represent a mathematical function. (p. 5). The Office Action has asserted that Hughs-Baird discloses a modifier/multiplier feature. As the Office Action notes, Hughs-Baird discloses a bonus scheme where a player picks various squares that may disclose credits or a multiplier. Hughs-Baird does not disclose or suggest the application of modified arrays based on adding symbols since the squares are part of a separate bonus board and are not the arrays of the basic game as in the present claims. Further, Ainsworth '120 relates to paylines based on an array of visual symbols while Hughs-Baird has a static series of blocks. In addition, there is no suggestion of any type of modifier symbols in Ainsworth let alone a scheme such as that disclosed by Hughs-Baird. Applicant respectfully submits that there is no rationale to combine Hughs-Baird and Ainsworth.

Applicant has amended claims 29 and 32 to require a random selection of a plurality of modifier symbols without player input. Hughs-Baird is premised on a player picking different squares to reveal awards. (Col. 5, l. 66 to Col. 6, l. 12). Hughs-Baird relies on players picking a square which may be a multiplier. Further, these claims require randomly selecting a plurality of modifier symbols. Hughs-Baird does not randomly select a plurality of modifier symbols as each of the modifiers in Hughs-Baird are fixed. Further, Hughs-Baird does not select a plurality

of modifier symbols as only a single multiplier is selected by a player at a single time. Applicant respectfully submits that claims 29-36 are allowable over Ainsworth '038 and Hughs-Baird.

Conclusion

It is Applicant's belief that all of the claims are now in condition for allowance and actions towards that effect is respectfully requested.

If there are any matters which may be resolved or clarified through a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the number indicated.

Respectfully submitted,

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